

January 16, 2015

**VIA ECF**

Honorable Esther Salas  
United States District Judge  
United States District Court  
District of New Jersey  
Martin Luther King, Jr. Federal Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

Re: NYSA-PPGU Pension Fund, *et al.* v. American Stevedoring, Inc., *et al.*  
**Civil Action No.: 2:12-CV-2309 (ES) (JAD)**

Dear Judge Salas:

Pursuant to the Court's January 9, 2015 Order (Docket # 117), the undersigned are attaching a copy of a letter from Donato Caruso, Esq. to Judge Failla which reports on the status of the mediation before Mediator David F. Kolb, Esq. Although the New York Court ordered no further extensions, the parties have requested that the mediation with Mediator David F. Kolb, Esq. continue to enable the parties to reach a final resolution. In addition, the settlement contemplates that a certain approval be obtained from the Port Authority prior to consummation of the settlement.

In view of the foregoing, the parties in this action respectfully request that the matter before this Court continue to be stayed until February 17, 2015.

Respectfully submitted,

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Honorable Esther Salas

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## VIA ECF

Honorable Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: American Stevedoring, Inc. v. International Longshoremen's Ass'n, AFL-CIO  
**Civil Action No.: 1:13-CV-00918 (KPF)**

Dear Judge Failla:

We write in connection with the Court's December 31, 2014 Order (Docket # 101), which granted the parties additional time until January 16, 2015, in which to finalize settlement documents. The parties believe that they are very close to concluding this matter, but they have run into a glitch in respect to the terms of the final agreement which has required additional drafts and discussions. Since the Court has ordered that no further extensions will be granted, the litigation will resume. However, the parties request that mediation with Mediator Daniel F. Kolb, Esq. continue to enable the parties to reach a final resolution.

Respectfully submitted,

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Honorable Katherine Polk Failla

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